

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:18-cr-163
v.)	
)	Judge Travis R. McDonough
PATRICK PITTS)	
)	Magistrate Judge Susan K. Lee
)	

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea as to Count One of the one-count Indictment; (2) accept Defendant's guilty plea as to the lesser offense of the charge in Count One of the Indictment, possession with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); (3) adjudicate Defendant guilty of the lesser offense of the charge in Count One of the Indictment, possession with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain released in custody until sentencing in this matter (Doc. 23). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 23) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea as to Count One of the Indictment is **GRANTED**;

2. Defendant's plea of guilty to the lesser offense of the charge in Count One of the Indictment, possession with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of the lesser offense of the charge in Count One of the Indictment, possession with intent to distribute methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** in custody until sentencing in this matter, which is scheduled to take place on **July 12, 2019 at 2:00 p.m. [EASTERN]** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**